

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DARRIN GRUENBERG,

Plaintiff,

v.

Case No. 09-C-455

CAPT. GEMPELER, et al.,

Defendants.

ORDER

Plaintiff Gruenberg has filed a second motion for appointment of counsel. That motion will be denied for the reasons already given. Although Plaintiff states that he is “mentally ill to the point where he is unable to formulate content of motions and briefs,” he has filed a number of such motions and briefs in this Court already, all of which are intelligible. Almost no inmates have legal training, and like other *pro se* litigants who are not incarcerated, they are expected to litigate their cases to the best of their ability. If circumstances exist rendering that unusually difficult, a court may consider appointing counsel. Here, however, Plaintiff has an adequate ability to present his position, and the issues involved are ones that courts are very familiar with. In other words, there is little need for Plaintiff to provide his own legal research – he must simply state the facts he believes entitle him to relief, and this Court will be able to determine whether he is correct or not without reliance on Plaintiff’s *pro se* legal analysis.

Plaintiff has also filed a motion seeking leave to be allowed to file a new response to the Defendants’ proposed findings of fact. He states that he now has access to an individual who will help him craft his responses more appropriately. This request will be granted.

The motion to appoint counsel is **DENIED**. The motion for leave to submit a response to the proposed findings of fact is **GRANTED**. Plaintiff must file his response within thirty days.

SO ORDERED this 10th day of March, 2010.

s/ William C. Griesbach

William C. Griesbach
United States District Judge